

# **DIGEST SUPPLEMENT**

To Legislative Digest and History of Bills **Supplement No. 9\*** 

# FIFTY-SEVENTH LEGISLATURE

Friday, January 19, 2001

12th Day - 2001 Regular

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#### **House Bills**

HB 1123 by Representatives Cox, Quall, Schoesler, Haigh, Bush, Keiser, Ahern, Schual-Berke, Benson, Barlean, Cairnes, Pearson, Simpson, O'Brien, Conway and D. Schmidt

Providing property tax relief to school volunteers.

Declares that a person who provides volunteer services to a school district is entitled to an exemption for taxes levied by the state on the person's residence if all of the following conditions are met:

- (1) The person must meet the conditions specified in RCW 84.36.381 (1) through (3) for a property tax exemption. The income criteria of RCW 84.36.381 do not apply to exemptions under this act.
- (2) The person must provide more than ninety hours of volunteer services to the district during a calendar year.
- (3) The person must submit an affidavit to the county treasurer as provided in this act.
- (4) The residence must meet the definition in RCW 84.36.383.

Applies to taxes levied for collection in 2002 and thereafter.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Finance.

HB 1124 by Representatives Darneille, Morell, Tokuda, Campbell, Hunt, Kagi, Miloscia, Ballasiotes, Veloria, Linville, Dickerson, Edwards, Kenney, O'Brien, Keiser, Edmonds, Schual-Berke, Jackley, Lovick, Santos, McIntire and Haigh

Evaluating mental health programs for children.

Declares an intent to oversee the creation, implementation, and funding of a plan that assures that all of Washington's children in need receive prompt and professional mental health services by the year 2006.

Directs the joint legislative audit and review committee to conduct a comprehensive review of the provisions of this act. The review shall be submitted to the appropriate committees of the legislature by July 1, 2002.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Children & Family Services.

**HB 1125** by Representatives Cairnes, Morris and Esser

Limiting the combined sales tax rate on lodging.

Provides that a local sales and use tax change adopted after December 1, 2000, must provide an exemption for those sales of lodging which if the total sales tax rate imposed on sales of lodging would exceed the greater of:

(1) Twelve percent; or

(2) The total sales tax rate that would have applied to the sale of lodging if the sale were made on December 1, 2000.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Finance.

HB 1126 by Representatives O'Brien, Benson, Hatfield, Ogden, Esser, Murray, McIntire, Miloscia, Barlean and Roach

Modifying collection of business to business debts by collection agencies.

Provides that a licensee may collect or attempt to collect collection costs and fees, including contingent collection fees, as authorized by a written agreement or contract, between the licensee's client and the debtor, in the collection of a commercial claim. The amount charged to the debtor for collection services shall not exceed thirty-five percent of the commercial claim.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Financial Institutions & Insurance.

HB 1127 by Representatives Clements and Schoesler

Postponing the implementation of safety and health rules related to musculoskeletal disorders.

Declares that the implementation schedule for rules dealing with musculoskeletal disorders, adopted on May 26, 2000, by the director of the department of labor and industries, and codified as WAC 296-62-05101 through 296-62-05176, shall be adjusted to take effect two years later than stated in the rule.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Commerce & Labor.

HB 1128 by Representatives O'Brien, Cairnes, Woods, Lambert, Conway, Cody, Fromhold, Jackley, Kessler, Simpson, Edwards, Kenney, Wood, Keiser, Darneille, Schual-Berke, Tokuda, Santos and Haigh

Providing health care coverage for retired or disabled school employees and retired state employees.

Provides health care coverage for retired or disabled school employees and retired state employees.

Takes effect July 1, 2002.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Appropriations.

HB 1129 by Representatives O'Brien, Cairnes, Conway, Cody, Fromhold, Jackley, Edwards, Schual-Berke, Tokuda, Santos and Haigh

Subsidizing health benefit premiums.

Finds that the current practice of providing health care premium subsidies for retired or disabled school and state employees does not provide the fairness or certainty necessary for family financial planning. In addition, the current system makes it difficult for the legislature to obtain the accurate and timely information necessary for appropriating funds.

Declares an intent to establish a method of determining subsidy amounts based on actual costs that provides predictability for budget purposes and fairness and certainty for families.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Appropriations.

HB 1130 by Representatives Delvin, Lambert and Benson

Allowing the wholesale and retail sale and distribution of alcoholic beverages.

Authorizes the wholesale and retail sale and distribution of alcoholic beverages.

Repeals RCW 66.08.070, 66.08.160, 66.08.235, 66.12.020, 66.16.010, 66.16.030, 66.16.041, 66.16.050, 66.16.060, 66.16.070, 66.16.080, 66.16.090, 66.20.160, 66.24.440, 66.32.010, and 66.44.120.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Commerce & Labor.

HB 1131 by Representatives Mulliken, Dunshee, Edwards, G. Chandler, DeBolt, Dunn and Hatfield

Modifying the powers of public hospital districts.

Amends RCW 70.44.060 to change the dates for filing a proposed budget of the contemplated financial transactions for the ensuing year.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Local Government & Housing.

HB 1132 by Representatives Conway, D. Schmidt, Haigh, Linville, Hatfield, Poulsen and

Esser

Establishing a veterans memorial plaza.

Directs the department of general administration to designate a portion of the east capitol site, in the vicinity of the Korean War memorial on the raised portion that forms the wall of the state parking garage, as the veterans memorial plaza.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to State Government.

HB 1133 by Representatives Carrell, Lantz, Lambert, Hurst, Casada, Morell, Kagi, Marine, Cox, Talcott, Tokuda, Fisher, Bush, Edwards, O'Brien, Darneille, Edmonds, Esser and Haigh

Limiting liability for donated labor on community projects.

Limits liability for donated labor on community projects.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Commerce & Labor.

HB 1134 by Representatives Skinner, Edmonds, Alexander, Cody, Campbell, Ruderman, Edwards, Van Luven, Schoesler, Wood, O'Brien, Schual-Berke, Pflug, Tokuda, Esser and Haigh

Regarding payment of property costs in licensed nursing facilities.

Amends provisions relating to the medicaid related payment of property costs in licensed nursing facilities. Repeals RCW 74.46.908.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Health Care.

HB 1135 by Representatives Lantz, Esser and McDermott

Modifying power of attorney provisions. Revises power of attorney provisions.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Judiciary.

HB 1136 by Representatives Schoesler, Wood, Ahern, Gombosky, Cox, Grant, Doumit, G. Chandler, Rockefeller, Linville, Schindler, Mulliken, Buck, Mastin, McMorris, Benson and Eickmeyer

Regarding product standards.

Declares that the federal product standards, adopted under 42 U.S.C. Sec. 6962(e) as it exists on the effective date of this act, are adopted as the minimum standards for the state of Washington.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Agriculture & Ecology.

HB 1137 by Representatives Cairnes, Conway, Campbell, Dunshee, O'Brien, Cooper,

Hunt, Simpson, Santos, Kenney, D. Schmidt, Kirby and Keiser

Requiring monetary penalties for prevailing wage settlements.

Provides that a contractor or subcontractor that is found to have violated the requirement to pay the prevailing rate of wage or settles a wage claim with the department of labor and industries for failure to pay the prevailing rate of wage shall be subject to a civil penalty of not less than one thousand dollars or an amount equal to twenty percent of the total prevailing wage violation found on the contract, whichever is greater.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Commerce & Labor.

HB 1138 by Representatives Cairnes, Conway, Campbell, Dunshee, O'Brien, Cooper, Simpson, Roach, Kenney, D. Schmidt, Kirby and Keiser

Depositing wage fines in the public works administration account.

Requires deposit of wage fines in the public works administration account.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Commerce & Labor.

HB 1139 by Representatives Schoesler, Grant, Cox, McMorris, G. Chandler, Sump, Mielke, B. Chandler, Armstrong, Mastin, Benson and Haigh

Authorizing excess weight permits for certain agricultural commodity trucks.

Amends RCW 46.44.0941 to authorize excess weight permits for certain agricultural commodity trucks.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Agriculture & Ecology.

HB 1140 by Representatives Schoesler, Grant, Sump, G. Chandler, Cox, McMorris, Doumit, Mielke, Armstrong, Mastin, B. Chandler, Linville, Hatfield, Alexander, Benson and Haigh

Modifying the taxation of grain warehouses.

Provides that persons operating grain warehouses licensed under chapter 22.09 RCW may elect to report the value proceeding or accruing from grain warehouse operations on either a cash receipts or accrual basis.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Agriculture & Ecology.

HB 1141 by Representatives Lantz, Dickerson, Kenney, Conway and Haigh; by request of Administrator for the Courts

Establishing juror compensation.

Provides that jurors shall receive ten dollars for the first day or partial day in attendance and shall receive forty-five dollars for each day or partial day thereafter.

Authorizes courts to establish a jury improvement fund for the exclusive purpose of enhancing juror services and accommodations. Jurors may contribute to a jury improvement fund by donating all or a portion of their juror fees and expenses accrued under RCW 2.36.150, 3.50.135, or 35.20.090.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Judiciary.

HB 1142 by Representatives Crouse, Benson, Schindler and Esser

Providing utility service in mobile home parks.

Authorizes any mobile home park landlord to request any public or private entity to provide utilities to tenants in a mobile home park in the name of the tenant, if the tenant's utility can be reasonably identified separately in the name of the tenant. Any costs for the utilities are the exclusive responsibility of the tenant. The landlord is not liable for a tenant's utility costs when the utility is provided in the name of the tenant.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Technology, Telecommunications & Energy.

https://dx.doi.org/10.1016/pdf. by Representatives D. Schmidt, Morris, Benson, Edmonds, Ogden, Jackley and Lovick

Adjusting apportionment of presidential electors.

Revises provisions relating to the apportionment of presidential electors.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to State Government.

HB 1144 by Representatives Kessler, Tokuda, Ogden, Keiser, Cody, Santos, Edmonds, Kenney, Linville, Darneille, O'Brien, Ruderman, Rockefeller, Dickerson, McDermott, Edwards, Conway, Schual-Berke, Jackley, Lovick, McIntire and Haigh

Modifying good cause reasons for failure to participate in the WorkFirst program.

Revises good cause reasons for failure to participate in the WorkFirst program.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Children & Family Services.

HB 1145 by Representatives O'Brien, Dunn, Woods, Mielke, Roach, Edmonds, Miloscia, Rockefeller, Edwards, Van Luven, Schoesler, Clements, Pennington, McMorris, Schindler, Mulliken, Ahern, Campbell, Benson, Bush, Cairnes, Pflug, Anderson, Armstrong, D. Schmidt, Esser, Carrell and Haigh

Allowing landlords to receive direct payments of rent for people on public assistance.

Directs the department of social and health services to conduct a program designed to increase the supply of housing for persons on public assistance by making rental payments directly to the landlords.

Provides that, prior to the convening of the 2002 regular session of the legislature, the department shall report the results of the program, together with its recommendations, to the co-chairs of the house of representatives committee on economic development, housing and trade and the chair of the senate committee on labor and workforce development.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Local Government & Housing.

HB 1146 by Representatives Haigh, Cox, Hunt, Armstrong, Rockefeller, Fromhold, Linville, McDermott, Jackley, Quall, Lantz, O'Brien, Romero, Keiser, Benson and Eickmeyer

Creating a commission on school funding review.

Creates a commission on school funding review.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Education.

HB 1147 by Representatives Haigh, D. Schmidt, Miloscia, Bush, Conway, Lovick, Jackley, Benson and Esser

Changing provisions relating to employment rights of members of reserve and national guard forces.

Declares an intent to guarantee employment rights of members of the reserve and national guard forces who are called to active duty. The federal uniformed services employment and reemployment rights act of 1994 protects all such federal personnel. The legislature intends that similar provisions should apply to all such state personnel.

Declares an intent for this act to ensure protections for state-activated personnel similar to those provided by federal law for federal-activated personnel.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to State Government.

**HB 1148** by Representatives Lantz, O'Brien, Lovick, Ballasiotes, McDermott, Carrell

and Esser

Establishing unwitting possession of a firearm as an affirmative defense.

Declares that knowledge is not an element of the crime of unlawful possession of a firearm in the first or second degree. Unwitting possession is an affirmative defense to a charge of unlawful possession of a firearm in the first or second degree. The defendant must establish the defense of unwitting possession by a preponderance of the evidence.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Judiciary.

HB 1149 by Representatives Lovick, Esser, Dunshee, Casada, McDermott, Reardon, Carrell, Miloscia, Keiser, Hurst, Lantz, Kenney and Benson

Authorizing local governments to increase the penalties for opening or consuming liquor in a public place.

Provides that the legislative body of a county or city is authorized to enact an ordinance providing for a misdemeanor penalty for this offense.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Commerce & Labor.

HB 1150 by Representatives Lovick, Ballasiotes, O'Brien, Kagi, Haigh, Ahern, Simpson, Grant, Campbell, Keiser, Benson, Bush, Conway and Esser

Establishing the crime of mail theft or receipt of stolen mail.

Declares that a person commits the crime of

Declares that a person commits the crime of obstruction of mail if the person intentionally obstructs or unreasonably delays:

- (1) The passage of the mail: or
- (2) A carrier or conveyance carrying the mail.

Provides that obstruction of mail is a gross misdemeanor.

Declares that a person commits the crime of destruction of letter boxes if the person knowingly and maliciously:

- (1) Tears down or destroys a letter box belonging to another; or
  - (2) Breaks open a letter box belonging to another.

Provides that destruction of letter boxes is a gross misdemeanor.

Declares that a person commits the crime of destruction of mail if the person knowingly and maliciously injures, destroys, or defaces mail of another that has been deposited in an authorized depository.

Provides that destruction of mail is a class C felony.

Declares that a person commits the crime of mail theft or receipt of stolen mail if the person knowingly:

- (1) Takes, or by fraud or deception, obtains mail of another from a mail receptacle, authorized depository, or mail carrier:
  - (2) Secretes, embezzles, or destroys mail of another;

- (3) Takes, or by fraud or deception, obtains mail of another that has been left for collection on or adjacent to an authorized depository or mail receptacle; or
- (4) Buys, receives, conceals, or unlawfully possesses mail of another knowing that the mail was taken, obtained, or embezzled as described in this subsection.

Provides that mail theft or receipt of stolen mail is a class C felony.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Criminal Justice & Corrections.

HB 1151 by Representatives Clements, Grant, Mulliken, Gombosky, G. Chandler, Mastin, Schoesler, Armstrong, Skinner, Lisk, Benson, B. Chandler, Linville, Hatfield, Kessler, Talcott, McMorris, O'Brien and Pflug

Providing land use flexibility for family farms owned or operated by senior citizens.

Declares an intent with this act to authorize local governments to afford some land use flexibility to those family farm owners and operators experiencing significant economic distress. The legislature also intends to authorize this flexibility for a limited period to allow a sufficient response time for these farm families while still preserving for the long term the planning and zoning systems established for agricultural lands under the growth management act.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Local Government & Housing.

**HB 1152** by Representatives D. Schmidt, Miloscia and Romero

Awarding contracts for building engineering systems.

Establishes procedures for awarding contracts for building engineering systems.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to State Government.

**HB 1153** by Representatives D. Schmidt, Miloscia and Romero

Regulating job order contracting for public works.

Declares that a "job order contract" means a contract between a public body and a registered or licensed contractor in which the contractor agrees to a fixed period, indefinite quantity delivery order contract which provides for the use of negotiated, definitive work orders for public works as defined in RCW 39.04.010.

Authorizes public bodies to use a job order contract for public works projects when:

- (1) A public body has made a determination that the use of job order contracts will benefit the public by providing an effective means of reducing the total lead-time and cost for public works projects or repair required at public facilities through the use of unit price books and work orders by eliminating time-consuming, costly aspects of the traditional public works process, which require separate contracting actions for each small project;
- (2) The work order to be issued for a particular project does not exceed two hundred thousand dollars;
- (3) Less than twenty percent of the dollar value of the work order consists of items of work not contained in the unit price book; and
- (4) At least eighty percent of the job order contract must be subcontracted to entities other than the job order contractor.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to State Government.

**HB 1154** by Representatives D. Schmidt, Miloscia and Romero

Authorizing a limited public works process.

Establishes procedures for the utilization of a limited public works process.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to State Government.

HB 1155 by Representatives D. Schmidt, Miloscia and Romero

Revising alternative public works contracting procedures.

Makes revisions to alternative public works contracting procedures.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to State Government.

HB 1156 by Representatives D. Schmidt, O'Brien, Edwards, Dunshee, Lovick, Marine, Sehlin, Pearson, Cooper and Barlean

Sharing costs among public transportation systems.

Establishes procedures for sharing costs among public transportation systems.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Transportation.

HB 1157 by Representatives Murray, Hankins, Lovick, Fisher and Keiser

Identifying rebuilt vehicles.

Designates procedures to identify rebuilt vehicles.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Transportation.

**HB 1158** by Representatives Lantz, Carrell and Benson

Regulating reconveyance of deeds of trust.

Provides that, upon satisfaction in full of the obligation secured by the deed of trust, the beneficiary shall forward a request for reconveyance of the deed of trust, together with proof of satisfaction or written verification to the trustee within thirty calendar days of satisfaction.

Provides that, if the obligation has been paid in full and the beneficiary has not requested the reconveyance as required by this act, a person entitled may forward a request for reconveyance, including a statement as to the reason, to the trustee.

Requires the trustee to, within thirty calendar days of receipt of the written request for reconveyance made by either the beneficiary or other person entitled, reconvey all or any part of the property encumbered by the deed of trust to the grantor under the deed of trust or the present owner of the property encumbered by the deed of trust.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Judiciary.

HB 1159 by Representatives Schual-Berke, Campbell, Cody, Skinner, Ruderman, Pennington, Conway, D. Schmidt, Linville, Kenney, Wood, Benson, Edmonds, Ogden, Keiser, Lovick, Esser and Haigh

Reimbursing nursing homes for direct care costs.

Finds that absent changes to the nursing home case mix reimbursement system for direct care costs, unintended consequences of the system scheduled to be implemented in the 2001-2003 biennium could negatively impact the quality of care required by nursing home residents. In order to assure that unanticipated rate reductions resulting in lowered staffing levels do not occur, the legislature finds that a delay in further implementation is warranted while the legislature examines these issues and makes necessary corrections to the system.

Creates the joint legislative task force on the direct care component of the nursing home reimbursement system.

Charges the task force with reviewing the extent to which the direct care reimbursement rates relate to the level of acuity and needs of the patients served, encourage nursing home providers to staff appropriately to those demonstrated needs, and allow providers to both recruit and retain staff necessary to providing high quality patient care in a cost-effective manner.

Requires the task force to complete its review and submit its recommendations in the form of a report to the legislature by December 1, 2001.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Health Care.

HB 1160 by Representatives Hunt, Clements,
Conway and Kenney; by request of
Department of Licensing

Providing for temporary real estate appraiser practice permits.

Provides for temporary real estate appraiser practice permits.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Commerce & Labor.

HB 1161 by Representatives Conway, Clements and Kenney; by request of Department of

Licensing

Authorizing the department of licensing to establish engineer and land surveyors' certificate and licensing renewal intervals, renewal fees, and renewal dates.

Authorizes the department of licensing to establish engineer and land surveyors' certificate and licensing renewal intervals, renewal fees, and renewal dates.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Commerce & Labor.

HB 1162 by Representatives McMorris, Cody, Alexander, Schual-Berke, Mastin, Cox, Mulliken, Sump, G. Chandler, Lisk, B. Chandler, Hatfield, Schoesler, Grant, Armstrong, Kessler, Doumit, DeBolt, Delvin, Dickerson, Kenney, Bush, Conway, Edmonds, Pflug and Haigh

Providing medical assistance reimbursements for small, rural hospitals.

Declares that the health care financing administration has recognized the crucial role that hospitals play in providing care in rural areas by creating the critical access hospital program to allow small, rural hospitals that qualify to receive reasonable cost-based reimbursement for medicare services.

Finds that creating a similar reimbursement system for the state's medical assistance programs in small, rural hospitals that qualify will help assure the long-term financial viability of the rural health system in those communities.

Provides that the act shall be null and void if appropriations are not approved.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Health Care.

**HB 1163** by Representatives Eickmeyer, Doumit, Rockefeller, Jackley and Haigh

Changing provisions relating to disposal of garbage and junk vehicles.

Revises provisions relating to disposal of garbage and junk vehicles.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Agriculture & Ecology.

HB 1164 by Representatives Eickmeyer, Rockefeller, Woods, Jackley, Lantz, Gombosky, Benson and Haigh

Modifying distressed area designation.

Declares that a "distressed area" includes a county that has experienced a loss of more than three thousand jobs during the previous five-year period due to military base restructuring and military employment in the county exceeds fifteen percent of the total employment in the county.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Trade & Economic Development.

HB 1165 by Representatives Barlean, Reardon and Talcott

Revising grandparents' visitation rights.

Provides that a grandparent of a child may petition the court for visitation with the child if:

- (1) There exists a substantial relationship between the grandparent and the grandchild;
- (2) The parent or person with whom the child resides had in the past encouraged or approved of contact between the grandparent and the child;
- (3) The grandparent has in the past been entrusted with the care of the child for a substantial time; or
- (4) The parent or person with whom the child resides has accepted substantial financial support from the grandparent for the child.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Judiciary.

#### **Senate Bills**

SB 5290 by Senators Winsley, Rasmussen, Snyder, Swecker, Oke, Patterson, Shin, Costa, Gardner and Kastama

Establishing a veterans memorial plaza.

Provides that, subject to the approval of the state capitol committee, the department of general administration shall designate a portion of the east capitol site, in the vicinity of the Korean War memorial on the raised portion that forms the wall of the state parking garage, as the veterans memorial plaza.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to State & Local Government.

SB 5291 by Senators Costa, Winsley, Franklin and Fraser

Requiring certain immunizations of staff and residents of long-term care facilities.

Declares that the long-term care resident and employee immunization act is intended to:

- (1) Prevent and reduce the occurrence and severity of the influenza virus and pneumococcal disease by increasing the use of immunizations licensed by the food and drug administration;
- (2) Avoid pain, suffering, and deaths that may result from the influenza virus and pneumococcal disease;
- (3) Improve the well-being and quality of life of residents and employees of long-term care facilities; and
- (4) Reduce avoidable costs associated with treating the influenza virus and pneumococcal disease.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Health & Long-Term Care.

SB 5292 by Senators T. Sheldon, McDonald, Fraser, Hochstatter, Regala, Stevens, Kastama, Snyder, Honeyford, Patterson, Eide and Hale

Modifying the definition of a major public energy project.

Includes a thermal nuclear power plant in the definition.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Environment, Energy & Water.

SB 5293 by Senator Benton

Discouraging voter registration by noncitizens.

Requires all voter registration forms printed after the effective date of this act to include clear and conspicuous language, designed to draw an applicant's attention, stating that only citizens of the United States may register to vote. Similar language must be stamped conspicuously onto existing voter registration forms in the possession of the office of the secretary of state.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to State & Local Government.

SB 5294 by Senators Hargrove, Zarelli, Haugen, Carlson, T. Sheldon, Hochstatter, Horn, Honeyford, Roach, Shin, Swecker, Stevens, Benton and Snyder

Defining "motorcycle helmet."

Provides that "motorcycle helmet" means a protective covering for the head consisting of a hard outer shell, padding adjacent to and inside the outer shell, and a neck or chin strap type retention system with a sticker indicating that the motorcycle helmet meets standards established by the United States Department of Transportation.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Transportation.

SB 5295 by Senators Jacobsen, Swecker, Regala, Haugen and Oke

Creating the Washington wildlife conservation foundation.

Declares an intent to protect and enhance the wildlife conservation capabilities of the state, to increase the abundance of wildlife, and to ensure the stability of wildlife populations through private benefactors contributing to a nonprofit wildlife conservation foundation.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Natural Resources, Parks & Shorelines.

SB 5296 by Senators Thibaudeau, Oke, Franklin, Winsley, Costa and Gardner; by request of Governor Locke and Attorney General

Limiting minors' access to tobacco.

Declares that, beginning January 1, 2002, self-service displays of tobacco products are prohibited. All in-store tobacco products must be sold from behind the counter or from within locked display units.

Does not apply to retailers who sell tobacco products exclusively.

Does not apply to sales from within premises where minors are prohibited by statute.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Health & Long-Term Care.

SB 5297 by Senators Jacobsen and Oke

Defining terms that place liability on outdoor recreation landowners.

Declares that "artificial" means a condition that does not resemble a condition found in nature even if contrived or established by human effort.

Declares that "latent" means a dangerous condition that the user did not or could not observe, and failure to observe was reasonable.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Natural Resources, Parks & Shorelines.

SB 5298 by Senators Jacobsen and Oke

Promoting wildlife viewing.

Directs the departments of fish and wildlife and community, trade, and economic development to host a working conference on promoting wildlife viewing tourism. The objective of the conference shall be to adopt a strategic plan and specific implementing actions to promote wildlife viewing tourism in Washington in a manner that both provides sustainable economic development in the state's rural areas and supports maintaining the state's wildlife diversity.

Appropriates the sum of forty-five thousand dollars, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2002, from the general fund to the department of fish and wildlife for the purposes of this act.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Natural Resources, Parks & Shorelines.

SB 5299 by Senator Jacobsen

Allowing nonconsumptive wildlife activities on public lands.

Authorizes nonconsumptive wildlife activities on public lands.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Natural Resources, Parks & Shorelines.

SB 5300 by Senators Patterson and Fairley

Concerning nonambulatory livestock.

Provides that, except to provide appropriate restorative veterinary care or to protect human life, no person shall move nonambulatory livestock unless the livestock's life has been terminated. No person shall terminate the life of nonambulatory livestock except by a humane method.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Agriculture & International Trade.

SB 5301 by Senators Patterson, Haugen, Oke, Jacobsen and Carlson

Specifying conditions for requiring examination of a driver.

Specifies conditions for requiring examination of a driver.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Transportation.

SB 5302 by Senators Snyder, West, Costa, Gardner and Oke

Providing a tax exemption for certain persons providing services for developmentally disabled persons.

Declares that chapter 82.04 RCW does not apply to amounts received from the department of social and health services for the specific purpose of providing division of developmental disabilities contracted and certified nonfacility based residential services to a person with a developmental disability as defined in RCW 71A.10.020.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Health & Long-Term Care.

SB 5303 by Senators Prentice, Winsley, Costa, Franklin, Roach, Kline, Kastama, Fairley, Patterson, Regala and Gardner

Providing a definition of gainful employment.

Declares that, for the purposes of this act, "gainful employment" means employment or self-employment in which the monthly wages, including benefits provided by the employer, are equal to or greater than eighty percent of the monthly wages earned by the worker at the time of injury or the legal minimum wage, whichever is greater.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Labor, Commerce & Financial Institutions.

SB 5304 by Senators Fairley, Oke, Costa, Kline, Prentice, Roach, Patterson, Kastama and Regala

Regarding worker chemical exposure.

Provides that the claim of a worker who is exposed to a hazardous chemical in the course of his or her employment is presumed to be covered by chapter 51.32 RCW if the worker establishes that: (1) He or she suffered harm or pain; and (2) an accident occurred or working conditions existed which could have caused that harm or pain. This presumption may be rebutted only by substantial evidence showing that the worker has no physiological symptoms or that the worker's physiological symptoms are not caused or aggravated, in any part, by the exposure.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Labor, Commerce & Financial Institutions.

SB 5305 by Senators Constantine and McCaslin; by request of Office of the Code Reviser

Correcting outdated references and double amendments.

Corrects outdated references and double amendments.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Transportation.

SB 5306 by Senators Constantine and McCaslin; by request of Office of the Code Reviser

Recodifying RCW 77.16.220. Recodifies RCW 77.16.220.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Natural Resources, Parks & Shorelines.

SB 5307 by Senators Constantine and McCaslin; by request of Office of the Code Reviser

Correcting the codification of venue provisions for actions for unlawful issuance of a check or draft.

Corrects the codification of venue provisions for actions for unlawful issuance of a check or draft.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Judiciary.

SB 5308 by Senators Constantine and McCaslin; by request of Office of the Code Reviser

Making technical corrections to chapter 19.28 RCW, electricians and electrical installations.

Makes technical corrections to chapter 19.28 RCW, electricians and electrical installations.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Labor, Commerce & Financial Institutions.

SB 5309 by Senators Constantine, Sheahan, Hewitt,
Costa, Parlette, Carlson, Regala, T.
Sheldon, Swecker, Jacobsen, B. Sheldon, Kastama, Gardner and Oke

Providing funding for local government criminal justice.

Declares an intent to provide a source of funds for county and city law enforcement, prosecutors, and courts to help implement the criminal laws it has enacted. It is the intent of the legislature to increase fines in order to increase revenue to local governments.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Judiciary.

SB 5310 by Senator Hochstatter

Allowing the legislature to set the salary for judges, state elected officials, and the legislature.

Authorizes the legislature to set the salary for judges, state elected officials, and the legislature.

Declares that this act takes effect January 1, 2002, if the proposed amendment to Article XXVIII, section 1 of the state Constitution (repealing the independent commission that establishes judges and elected officials' salaries, SJR . . . . . (S-0845.1/01)) is validly submitted to and is approved and ratified by the voters at the next general election. If the proposed amendment is not approved and ratified, this act is void in its entirety.

Repeals RCW 43.03.305 and 43.03.310.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to State & Local Government.

SB 5311 by Senators Prentice, Patterson and Fairley

Applying RCW 41.56.430 through 41.56.490 to employees working under a site certificate issued under chapter 80.50 RCW.

Provides that, in addition to the classes of employees listed in RCW 41.56.030(7), the provisions of RCW 41.56.430 through 41.56.490 are also applicable to operating and maintenance employees of an agency that, on the effective date of this act, is operating a commercial nuclear power plant under a site certificate issued under chapter 80.50 RCW.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Labor, Commerce & Financial Institutions.

SB 5312 by Senators Fraser, Winsley, Costa, Fairley, Prentice, Patterson, Thibaudeau, Franklin, McCaslin, Regala, Spanel, Jacobsen and Gardner

Requiring full text of repealed laws in initiatives.

Requires an initiative measure, whether to the people or to the legislature, to display in full the text of any section of law that would be repealed by the measure.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to State & Local Government.

SB 5313 by Senators Fraser, Long, Patterson, Prentice, Thibaudeau, Winsley, Costa, Franklin and Jacobsen

Addressing state highway noise mitigation.

Directs the department of transportation to develop criteria to be used for evaluating and prioritizing noise mitigation projects. The adopted criteria should be consistent with federal standards for noise abatement, and must at a minimum consider the current level of noise in the affected area, the number of persons who would benefit from a reduction in noise, the reduction in decibels resulting from the mitigation project, and the project cost.

Directs the department to commence three pilot projects:

- (1) A feasibility study and project design of a means for reducing noise reflected from an overhead structure, such as a bridge deck. This pilot project should be located in the Puget Sound region;
- (2) Noise mitigation retrofitting on a highway where lane widening is currently planned, and where the noise mitigation structure can be constructed at substantial cost savings by proceeding concurrently with highway improvements. This pilot project should be located in eastern Washington;
- (3) Noise mitigation retrofitting in an area adjacent to a six-lane, fully controlled, limited access highway, where the mitigation site is located within one-quarter of a mile from an interchange. This pilot project should be located in western Washington, outside the greater Puget Sound region.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Transportation.

SB 5314 by Senators Roach, Benton, Fairley, Honeyford, Johnson, Stevens, Swecker, Hochstatter and Finkbeiner

Requiring voter approval on significant alterations to regional transit authority projects.

Provides that, at any time if a proposition approved by the voters is significantly altered by actions of the board, the proposition will be resubmitted to the voters within the boundaries of the originally approved proposition.

Declares that a significant alteration to a proposition is:

- (1) An increase in cost for completion of the proposition approved by the voters equal to or greater than thirty percent of the cost identified in the proposition approved by the voters;
- (2) A delay of twenty-four months or more of the entire proposition submitted to and approved by the voters;
- (3) Elimination of any portion or element of the original proposition submitted to and approved by the voters.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Transportation.

SB 5315 by Senators Fraser and Morton; by request of Department of Health

Including drinking water accounts in interest-bearing accounts.

Declares that this act is needed to comply with federal law, which is the source of funds in the drinking water assistance account, used to fund the Washington state drinking water loan program as part of the federal safe drinking water act.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Environment, Energy & Water.

SB 5316 by Senators Prentice and Winsley; by request of Employment Security

Department

Ensuring that reasonable assurance continues to apply to employees of educational institutions.

Declares an intent that reasonable assurance continue to apply to all employees of educational institutions as required by federal provisions and RCW 50.44.080.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Labor, Commerce & Financial Institutions.

SB 5317 by Senators Prentice and Winsley; by request of Employment Security

Department

Clarifying hours and wages for educational employee compensation claims.

Declares an intent to clarify requirements related to the use of base year hours and wages for certain employees at educational institutions, for the purpose of determining eligibility for unemployment insurance benefits.

Finds that, unless clarified, Washington's unemployment compensation law may be out of conformity with the federal unemployment tax act, which poses a significant economic risk to the state's private employers, the state's general fund, and to the administration of the state's unemployment insurance system.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Labor, Commerce & Financial Institutions.

SB 5318 by Senators West, Haugen, Prentice, Winsley and Gardner

Modifying the definition of a "vocational student" for the purpose of the study of cosmetology.

Modifies the definition of a "vocational student" for the purpose of the study of cosmetology to change the education requirement from completion of the eleventh grade to completion of the tenth grade.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Labor, Commerce & Financial Institutions.

SB 5319 by Senators Haugen, Horn and Gardner

Changing provisions relating to the municipal research council.

Amends RCW 43.110.010 and 43.110.030 relating to the municipal research council.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to State & Local Government.

SB 5320 by Senators Haugen, Horn and Gardner

Clarifying local government motor vehicle tax laws.

Declares the intent of this act is to clarify existing law with respect to the ability of public transportation systems to impose an annual excise tax on the value of motor vehicles. Senate Bill No. 6865 (chapter 1, Laws of 2000 1st sp. sess.), enacted during the 2000 legislative session, did not explicitly repeal the authority of public transportation systems to impose the local tax under RCW 35.58.273. Repealing the state motor vehicle excise tax did not repeal the local motor vehicle excise tax. It is the intent of this act to clarify the authority to impose the local tax in existing statutes while removing references to the repealed state tax.

#### -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Transportation.

SB 5321 by Senators Costa, Roach, Kline, McCaslin, Long, Hargrove, Thibaudeau, Zarelli, Constantine and Haugen

Creating a certification process and oversight mechanism for police service dog teams.

Establishes a certification process and oversight mechanism for police service dog teams.

Makes an appropriation of an unspecified amount to carry out the purposes of the act.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Judiciary.

SB 5322 by Senators Kohl-Welles, Long, Hargrove, Costa, Gardner and Oke

Providing child day-care licensing information to the public through a toll-free number.

Requires the department to establish and maintain a toll-free telephone number and electronic means for public access for the communication of information to the public regarding child day-care centers and family day-care providers.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Human Services & Corrections.

#### **Senate Joint Memorials**

# **SJM 8008** by Senators Benton and Carlson

Requesting a joint Oregon-Washington committee on taxation be established.

Requests that a joint committee on taxation, consisting of an equal number of legislators from both states, be established to study the issue of tax fairness for residents residing in one state who are employed, conduct business, or make purchases in the other state.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Ways & Means.

# **Senate Joint Resolutions**

# SJR 8207 by Senator Hochstatter

Repealing Article XXVIII, section 1, of the Washington state Constitution.

Proposes an amendment to repeal Article XXVIII, section 1, of the Washington state Constitution.

# -- 2001 REGULAR SESSION --

Jan 18 First reading, referred to State & Local Government.

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